

We need your help!!

Organize support in your area. You can mail pamphlets, organize fundraisers, spread the word, come out to the trial, or support the Carson 10 by making a contribution payable to: Carson 10.

Please contact us at:

In Nevada
C10aid@aol.com
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In California
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Contact the local government officials and voice your concerns regarding this case.

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Who were the Carson 10 at the time of the Arrest in 1998?

Mike Kizer 14, had just graduated Jr. High
Clint Malone 15, was a High School Sophomore
Elvin Fred 15, was a High School Sophomore
Julian Contreras 15, was a High School Sophomore
Jaron Malone 17, was a High School Junior
Sylvia Fred 17, was a High School Junior
Freddie Fred 18 was a High School Senior
Rocky Boice Jr. 19, was a High School Senior
Jessica Evens 20, had just graduated High School
Lew Dutchy 24, has just become a father

Carson 10 American Indian Defense
387 Colorado Street
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10 Young Native American Indians Are Facing Two Consecutive Life Sentences In A Racist Frame-Up In Carson City, Nevada. Trial Set for July 22, 2002

During the evening of August 22, 1998, Jessica Evans, a young Native American woman was assaulted by a member of a Carson City gang while attending a party at a local motel. Jessica notified the Sheriff's Deputies, but they refused to take action despite visible injuries to her face as well as blood stains on her sweatshirt.

This inaction by the police reflects a long history of negligence in conflicts involving the Latino and Native American communities, which often leads to an escalation of hostilities between them. As a result, Jessica returned home where several of her family members and friends decided to confront her attacker at the motel. Local police arrived shortly thereafter. According to police reports the defendants had already left and the gang members were still alive. The reporting officers stated that they had to restrain Sammy Resendez, gang member, who later died from head injuries so severe that he would have been in no condition to struggle against the officers. Jessica Evans, her family members and friends who returned to the motel are now being charged with the murder of Resendez.

Carson 10 Defense Committee

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The State's Case

The defendants are being railroaded by the Carson City Police. In Nevada, if one enters a building without "permission" of the owner, one is guilty of burglary, even if nothing is missing. While being in that place, if anyone dies, the State can pursue open murder charges and they don't even have to prove motive! The 10 young Native Americans are currently charged with principal to open murder with the use of a deadly weapon; principle to battery with the use of a deadly weapon; principle to burglary; and conspiracy to commit battery with the use of a deadly weapon. The defendants have been separated into three different trials. The first group consists of Clint Malone, Lew Dutchy, Rocky Boice Jr., and Freddie Fred. Their trial is scheduled for July 22, 2002. There is not a trial date set for the two remaining groups. Jessica Evans and Julian Contreras make up the second group. Sylvia Fred, Elvin Fred, Jaron Malone, and Mike Kizer are in the third group.

Official Statements Made by the State:

"They feel like they're getting discriminated against, oh well, I don't care...quite frankly, I don't have any use for either of these groups."

- Sheriff Rod Banister, Carson City P.D.

Channel 2 News, Carson City, NV. August 1998.

"The department (Carson City Police) is extremely dysfunctional right now." – Wayne Fazzino, *investigator for the Nevada Attorney General Ron Gaudin*, 5/6/2002

Facts surrounding the case:

- "Sammy" Resendez dies from head injuries at 2:00 PM August 23, 1998, at a Reno Hospital.
- Katherine Raven the forensic pathologist who testified at the preliminary hearing, declared that the cerebral contusions, bruising of the brain, were significant enough that Resendez would not have been able to get up and walk into a bathroom 12 to 20 feet away as was reported by the first officer at the scene. ***This would suggest that Resendez was brutalized after being taken from the scene while in police custody.*** She also reported he had a fractured Hyoid bone in his neck, possibly caused by a compression of the neck. According to the police report, Resendez was restrained.
- Resendez was taken to the local hospital by ambulance where he was then transported by helicopter to another trauma center. There was an 18 minute delay at the first hospital.
- ***There is no physical evidence to link any of the defendants to the crime.***
- Carolee Simpson, the State's key witness told the first officer at the scene she did not know any of the suspects. She also claimed she did not get a good look at their faces. A Washo Tribal Police officer and a "Toker" gang member supplied Simpson with the names of the suspects. Based on the names supplied to this witness, the police sought the defendants along with many other youth.

- The Sheriff's Department and the District Attorneys Office have consistently said in newspapers that the defendants are members of a gang, making tribal unities an indictable offense. This is untrue as is their portrayal of an Indian vs. Mexican racial conflict. ***This is a tactic used to produce negative pretrial publicity.***
- The District Attorneys' office has repeatedly failed to take action against members of the Eastside Toker gang when they have committed crimes against Native Americans and other citizens of Carson City. The gang member who battered Jessica Evans was never charged.
- Prior to this case, Rocky Boice and his family had filed complaints against members of the Sheriff's Department for wrongdoing. These complaints were ignored by the department and Rocky was continuously harassed by police.

Contradictions to the Case

- The attending emergency room physician was recently arrested for kidnapping and drugging his ex-wife.
- Resendez's estranged wife's parents are both Carson City Sherriff's Deputies.